

# EXHIBIT A

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ANDREW MCINTOSH, Individually and On	:	Civil Action No. 2:05-CV-00889-LDW-ETB
Behalf of All Others Similarly Situated,	:	
	:	<b><u>ELECTRONICALLY FILED</u></b>
Plaintiff,	:	<b><u>CLASS ACTION</u></b>
vs.	:	
VEECO INSTRUMENTS, INC., et al.,	:	
	:	
Defendants.	:	
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BARRY LINZER, On Behalf of Himself and	:	Civil Action No. 2:05-CV-00957-DRH-ETB
All Others Similarly Situated,	:	
	:	<b><u>CLASS ACTION</u></b>
Plaintiff,	:	
vs.	:	
VEECO INSTRUMENTS, INC., et al.,	:	
	:	
Defendants.	:	
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BRUCE KANTOR, On Behalf of Himself and	:	Civil Action No. 2:05-CV-00967-LDW-ETB
All Others Similarly Situated,	:	
	:	<b><u>CLASS ACTION</u></b>
Plaintiff,	:	
vs.	:	
VEECO INSTRUMENTS, INC., et al.,	:	
	:	
Defendants.	:	
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[PROPOSED] ORDER CONSOLIDATING RELATED ACTIONS, APPOINTING NECA-  
IBEW PENSION FUND (THE DECATUR PLAN) AS LEAD PLAINTIFF AND APPROVING  
LEAD PLAINTIFF'S CHOICE OF LEAD COUNSEL

GEORGE F. WALKER, Individually and On  
Behalf of All Others Similarly Situated,  
  
Plaintiff,

vs.

VEECO INSTRUMENTS, INC., et al.,  
  
Defendants.

Civil Action No. 2:05-CV-01003-JS-ETB  
  
CLASS ACTION

PHILIP G. COLLINS, On Behalf of Himself  
and All Others Similarly Situated,  
  
Plaintiff,

vs.

VEECO INSTRUMENTS, INC., et al.,  
  
Defendants.

Civil Action No. 2:05-CV-01277-LDW-ETB  
  
CLASS ACTION

SERVAAS HOLTHUIZEN, Individually and  
On Behalf of All Others Similarly Situated,  
  
Plaintiff,

vs.

VEECO INSTRUMENTS, INC., et al.,  
  
Defendants.

Civil Action No. 2:05-CV-01337-LDW-ETB  
  
CLASS ACTION

GERALD J. VOGT, et al., On Behalf of  
Themselves and All Others Similarly Situated,  
  
Plaintiffs,

vs.

VEECO INSTRUMENTS, INC., et al.,  
  
Defendants.

Civil Action No. 2:05-CV-01430-LDW-ETB  
  
CLASS ACTION

[Caption continued on following page.]

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TIMOTHY JOE GROVE, On Behalf of  
Himself and All Others Similarly Situated,

Plaintiff,

vs.

VEECO INSTRUMENTS, INC., et al.,

Defendants.

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Civil Action No. 2:05-CV-01552-LDW-ETB

CLASS ACTION

Having considered the Motion to Appoint NECA-IBEW Pension Fund (The Decatur Plan) (“NECA”) as Lead Plaintiff, to Approve Lead Plaintiff’s Choice of Lead Counsel Pursuant to §21D(a)(3)(B) of the Securities Exchange Act of 1934 (the “Exchange Act”), and to Consolidate Related Actions Pursuant to Rule 42 of the Federal Rules of Civil Procedure (the “Motion”) and good cause appearing therefore, the Court ORDERS as follows:

1. The Motion is GRANTED; and
2. Pursuant to §21D(a)(3)(B) of the Exchange Act, 15 U.S.C. §78u-4(a)(3)(B), NECA is appointed as lead plaintiff for the class; and lead plaintiff’s choice of lead counsel is approved. Pursuant to §21D(a)(3)(B)(v), the law firm of Lerach Coughlin Stoia Geller Rudman & Robbins LLP is appointed as lead counsel for the class.

#### **CONSOLIDATION OF RELATED CASES**

The following actions are consolidated for all purposes including, but not limited to, discovery, pretrial proceedings and trial proceedings pursuant to Rule 42(a) of the Federal Rules of Civil Procedure:

<b>CASE TITLE</b>	<b>CIVIL ACTION NO.</b>	<b>DATE FILED</b>
<i>McIntosh v. Veeco Instruments Inc., et al.</i>	2:05-cv-00889-LDW-ETB	02/16/2005
<i>Linzer v. Veeco Instruments, Inc., et al.</i>	2:05-cv-00957-DRH-ETB	02/18/2005
<i>Kantor v. Veeco Instruments, Inc., et al.</i>	2:05-cv-00967-LDW-ETB	02/18/2005
<i>Walker v. Veeco Instruments, Inc., et al.</i>	2:05-cv-01003-JS-ETB	02/23/2005
<i>Collins v. Veeco Instruments, Inc., et al.</i>	2:05-cv-01277-LDW-ETB	03/09/2005
<i>Holthuizen v. Veeco Instruments, Inc., et al.</i>	2:05-cv-01337-LDW-ETB	03/11/2005
<i>Vogt, et al. v. Veeco Instruments, Inc., et al.</i>	2:05-cv-01430-LDW-ETB	03/18/2005
<i>Grove v. Veeco Instruments, Inc., et al.</i>	2:05-cv-01552-LDW-ETB	03/24/2005

## MASTER DOCKET AND CAPTION

3. The docket in Civil Action No. 2:05-cv-00889-LDW-ETB shall constitute the Master Docket for this action.

4. Every pleading filed in the consolidated action shall bear the following caption:

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

_____	X
In re VEECO INSTRUMENTS, INC.	: Master File No. 2:05-CV-00889-LDW-ETB
SECURITIES LITIGATION	:
_____	: <u>CLASS ACTION</u>
This Document Relates To:	:
_____	:
_____	X

5. The file in Civil Action No. 2:05-CV-00889-LDW-ETB shall constitute a master file for every action in the consolidated action. When the document being filed pertains to all actions, the phrase “All Actions” shall appear immediately after the phrase “This Document Relates To:”. When a pleading applies only to some, but not all, of the actions, the document shall list, immediately after the phrase “This Document Relates To:”, the docket number for each individual action to which the document applies, along with the last name of the first-listed plaintiff in said action.

6. All related actions subsequently filed in, or transferred to, this District shall be consolidated into this action. This Order shall apply to every such action, absent order of the Court. A party that objects to such consolidation, or to any other provisions of this Order, must file an application for relief from this Order within ten days after the date on which a copy of this Order is mailed to the party's counsel.

7. This Order is entered without prejudice to the rights of any party to apply for severance of any claim or action, for good cause shown.

**LEAD PLAINTIFF'S COUNSEL**

8. Lead plaintiff's counsel, after being appointed by the Court, shall manage the prosecution of this litigation to avoid duplicative or unproductive activities. Lead plaintiff's counsel shall be responsible for coordination of all activities and appearances on behalf of plaintiffs and for dissemination of notices and orders. Lead plaintiff's counsel shall be responsible for communications with the Court.

9. Defendants' counsel may rely upon agreements made with lead plaintiff's counsel. Such agreements shall be binding on all plaintiffs.

10. Lead plaintiff shall file a consolidated class action complaint no later than 60 days from the date of the order of the Court appointing lead plaintiff and lead counsel.

11. The parties shall take all reasonable measures to preserve documents, materials and all other information relevant to the disputed claims and defenses asserted in this litigation.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE LEONARD D. WEXLER  
UNITED STATES DISTRICT JUDGE

Submitted by:  
LERACH COUGHLIN STOIA GELLER  
RUDMAN & ROBBINS LLP  
SAMUEL H. RUDMAN (SR-7957)  
DAVID A. ROSENFELD (DR-7564)  
MARIO ALBA, JR. (MA-7240)

\_\_\_\_\_  
*/s/ Mario Alba, Jr.*  
MARIO ALBA, JR.

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[Proposed] Lead Counsel for Plaintiffs  
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